

SUPERIOR COURT  
OF THE  
STATE OF DELAWARE

RICHARD F. STOKES  
JUDGE

1 THE CIRCLE, SUITE 2  
SUSSEX COUNTY COURTHOUSE  
GEORGETOWN, DE 19947

June 4, 2009

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Mr. Aaron Thomas  
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Re: ***Thomas v. Dentsply International***  
C.A. No. 06A-01-002-RFS

Dear Counsel and Mr. Thomas:

Having considered this matter on the record below, this Court has determined that the final judgment of the Industrial Accident Board should be AFFIRMED on the basis of, and for, the reasons assigned by the Industrial Accident Board in its decision dated September 12, 2007. Its decision that the alleged newly discovered evidence could have been obtained before the hearing with the use of due diligence is supported by the record. Its decision that the alleged newly discovered evidence would not have changed the original result is also supported by the record. Both decisions are correct as a matter of law.

IT IS SO ORDERED.

Very truly yours,

Richard F. Stokes

RFS/cv

cc: Prothonotary